

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**Crl.Misc. No.17331-M of 2006
Date of Decision:- 05.03.2007**

Jarnail Singh

....Petitioner(s)

through
Mr.B.S.Bhasaur, Advocate

vs.

State of Punjab & ors.

....Respondent(s)

through
Mr.B.S.Baath, AAG, Punjab.

CORAM:-HON'BLE MR.JUSTICE SURYA KANT.

- 1) Whether Reporters of the local papers may be allowed to see the judgment?
- 2) To be referred to the Reporters or not?
- 3) Whether the judgment should be reported in the Digest?

SURYA KANT, J.

The prayer in this petition is to direct the respondents to register a case against the partners of M/s.Devi Dyal and Sons, who at the relevant time, were working as Commission Agents at the Purchasing Centre, Gajjumajra.

The petitioner had earlier filed Crl.Misc.No.383-M of 2003 which was disposed of by this Court on January 07, 2003 with a direction to the Senior Superintendent of Police, Patiala to look into his grievance and take appropriate action, as may be required under the law.

The petitioner, thereafter, filed yet another petition, namely, Crl.Misc.No.22060-M of 2003 alleging, *inter alia*, that the above-mentioned order passed by this Court was not being complied with. His second petition was, however, disposed of by this Court on July 19, 2004 with liberty to him to take an appropriate recourse, as may be available to

him in law.

The petitioner has filed this third petition before this Court for the same relief.

In response to the notice of motion, the respondents have filed a reply by way of affidavit of Jagdish Singh Kahlon, Superintendent of Police (Detective), Patiala.

In the aforesaid affidavit, it is explained that pursuant to the order dated 7.1.2003 passed by this Court in Crl.Misc.No.383-M of 2003, an enquiry was got conducted in which it was found that the alleged accused, namely, the Commission Agent, had taken 430 grams excess of paddy per bag from the petitioner at the time of weighing for which the Competent Authority has already suspended his licence and after effecting recovery from him, a sum of Rs.1075.20/- has been paid to the petitioner i.e. equivalent to the price of the excess paddy taken from him by the said Commission Agent.

The respondents have taken a further stand that upon enquiry, no case of non-cognizable nature has been found to have been committed by the Commission Agent.

After hearing learned counsel for the parties, I am satisfied that no further action is required to be taken on behalf of the respondents.

The petitioner, however, shall be at liberty to initiate any other action, in accordance with law, as may be advised to him.

Disposed of.

March 05, 2007
poonam

(SURYA KANT)
JUDGE